law now proposed. I need only point out that the conditions of Travancore are almost the same as in the neighbouring District of Malabar. We are not left so far behind that District in the matter of judicial administration and I do not see why even less powers than those granted to corresponding judicial officers in the adjoining British parts cannot be granted to our officers who, I may say, are in no way inferior to them.

In regard to the objections raised to the Bill, I think most of them relate to matters of detail and do not touch the principle. However, as some of the members have gone into statistics, I think I may propose that fuller statistics be called for and the affirmation of the principle of the Bill postponed to a future meeting.

Seconded by Mr. Mahadeva Iyer.

The motion to adjourn the further discussion of the principle of the Bill till fuller statistics are obtained was put to the vote and lost.

The original motion for the affirmation of the principle of the Bill was then put to the vote and lost by a majority.

## STEAM-BOILERS AND PRIME-MOVERS BILL.

Mr. Mahadeva Iyer.—At the last meeting of the Council I formally introduced this Bill but as 15 days had not elapsed from the date of publication the discussion of the principle was deferred to this meeting. The Bill, as I have already stated, is a close adaptation of Madras Act III of 1893 and contains nothing of a contentious nature. There are only two main provisions in it: (i) the periodical examination of boilers and the issue of licenses for their use; (ii) the issue of certificates of competency to persons entrusted with the management of boilers. These restrictions are, I need hardly say, necessary in the interests of public safety.

I would draw the attention of the Council to the last section of the Bill (section 24) which makes it discretionary with Government to extend the provisions relating to steam-boilers to prime-movers. The question whether the provisions of the Bill should be generally applied to steam-boilers and prime-movers alike engaged the particular attention of the Select Committee which sat on the Bill which was passed into law as Act III of 1893 and I cannot do better than read to the Council an extract from their Report, bearing as it does on an important section affecting the principle of the Bill.

"In one important respect, however, we have altered the principle of the original Bill. We find that before Bombay Act II of 1891 was passed into law considerable discussion took place as to the advisability of applying its provisions to prime-movers. We append an extract from the speech of the Hon'ble Mr. Javerilal Umiaspankar Yajnik at the meeting of the Bombay Legislative Council on the 4th March 1891:—

"The first Boiler Inspection Act (Act VI of 1869) applied to prime-movers as well as to boilers. The second Boiler Inspection Act (Act V of 1873) applied also to both. But when the Act now in force (Act III of 1887) was considered by the Legislature in 1886, this point about the application of the Act to prime-movers was carefully weighed. On the one hand, it was held that there is much ignorance in this country on the subject of machinery and how to work it. On the other hand, it was maintained that such accidents are rare, that they do not often result in loss of life, that examinations of engines are not generally effective in preventing them, and that there are serious objections to an examination which requires large engines to be pulled to pieces and put together again, perhaps in a very hurried manner, in order to avert loss from the stoppage of a large factory. For these reasons the Honorable Mover of the Bill, the late Sir Maxwell Melville, at the meeting of the Legislative Council in October 1886, remarked that 'on the whole it has been thought advisable to exempt prime-movers from inspection, but to reserve power to Government to introduce such inspection, if, from the frequency of accidents or other cause, it should be considered advisable.'

"We further gather from the the Proceedings of the Bombay Legislative Council that in no part of the world, except Bengal and Burma, is the inspection of prime-movers required by law and we note also that negligent conduct with respect to machinery is punishable under section 287 of the Indian Penal Code.

"The result of the exhaustive discussions in Bombay was the enactment of a measure which applies of its own free force to boilers only, but which can be extended by the Government by notification in such a manner as to provide for the inspection of prime-movers also.

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"Upon the whole, we have come to the conclusion that the objections urged in Bombay against the application of the Act to prime-movers are so forcible as to render it advisable that the present bill should be restricted in its immediate operation to boilers, but that, at the same time, circumstances may occasionally require the extension of the law to prime-movers also.

"We have given effect to our opinion in the amended bill which provides for the inspection of boilers only in the first place, but which contains a provision (section 24) for the extension to prime-movers by notification issued by Government".

The next point I wish to mention is about clause (4) of section 1 which excludes from the operation of the Bill "any boiler or prime-mover in any steam vessel". It has been suggested that this exemption may be removed as the main object of our Bill is to safe-guard the steam-boat service in North Travancore. The exemption occurs in the British Act because in British India they have separate enactments regarding steam-vessels and steam-ships *viz.*, the Inland Steam-vessels Act VI of 1884, the Indian Steam-ships Act VII of 1884, and Native Passenger Ships Act X of 1887. These enactments are mainly intended for river steamers and other large craft and contain elaborate provisions and impose various restrictions which it is hardly necessary to introduce in this country at present. The omission of the words quoted above would bring under the operation of the Bill the boilers used in our steam-boats and this would meet the actual requirements here. This amendment as well as a few other minor amendments introduced by Madras Act I of 1904 are best considered in the Select Committee stage. I will not trouble the Council with any further remarks. I beg to move that the principle of the Bill be affirmed.

Seconded by Mr. Rama Iyer.

The Council having affirmed the principle of the Bill, Mr. Mahadeva Iyer proposed that the Bill be referred to a Select Committee consisting of Messrs. Kesava Pillai, Vieyra, John and the Mover, to report within three months.

Seconded by Mr. Rama Iyer.

Carried.

## PLANTERS LABOUR BILL.

Mr. Kesava Pillai.—On behalf of the member in charge of the Bill, I beg to present the report of the Select Committee on the Planters Labour Bill and move that the Report and the amended Bill be published in the Gazette and the consideration of the Bill taken up at the next meeting. I may observe that there are two minutes of dissent which also are attached to the Report.

The motion was put and agreed to.

The Council adjourned at 5-30 P. M.

T. RAJARAM ROW,

*President.*

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